Preserve

App F IX-4

1934-5
(Jne)

File No 40-34
Serial Nos 19, 26

Previous References
Jne 38-33-12-14
VP 10-33-126, 138, 139
Jne 32-31-275, 288
VP 16-34-36, 57
Later References

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 2

Part B for Jany 1935

SUBJECT.

Withdrawal from the Acquisition
of L S No 384 of Tipton for widening the
Compound of the Water supply & Drawn
House at Tipton.

SC 26) No. L 4596 of 3-1-35

The Complete Inspector Gazette
Notice Not a Gazette

11/12/35

WD 01965—GPB—15,000—7-7-34

ML 40-34-19

No A.2.C.921/34

Enclosures file & 4 stts.

Deputy Commissioner &
OFFICE OF THE DISTRICT MAGISTRATE,
TUMKUR DISTRICT

Dated Tumkur the 2nd Novr. 1934

FROM T.Abdul Khadir Esquire, B.A.,
& Deputy Commissioner,
District Magistrate, Tumkur District,
Tumkur

To

2035

Venkataramanappa Esquire, B.A.,
Secretary to the Govt of H H the
Maharaja of Mysore,
Development *Department,*
Bangalore

SIR,

Adverting to G.O.No.L.1925-7/A 1.38-38-13 dated 11-9-34, sanctioning the acquisition of portions of S.Nos.383 and 384 of Tiptur for widening the compound of the Water Supply and Power House at Tiptur I have the honor to state that the Sub Division Officer, Gubbi Sub Division who is the Land Acquisition Officer in the case reports that instead of the marginally noted extent in the two S.Nos. ordered to be acquired, only an extent of 15 guntas 38 square yards in S.No.383 is

S.No.383 - 14 guntas 55 square yards (
S.No.384 - 104 square yards with) required for the purpose,
the building thereon. (that no portion of land in

S.No.384 is needed and that S.No.384 has been proposed by mistake in the first instance. He therefore recommends that the acquisition of S.No.384 may be ordered to be withdrawn and a fresh declaration statement published in respect of the actual extent i.e. 15 guntas 38 square yards required in S.No.383.

In the above circumstances, I request that Government may be pleased to withdraw from the acquisition of S.No.384 under section 48 of the Land Acquisition Regulation as the same is not required and to cause a fresh declaration statement to be published in the Gazette in respect of S.No.383 as the extent to be acquired now is in that S.No and the boundaries thereof differ from the original declaration statement already published with the Government Order under advertance.

The revised declaration statements and the connected

records

W D 546—4,PB—50 000—4 9-24

192

2035

From

To

Dated

Despatched

Received

General No

No

Enclosure No

records accompany.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Tumkur District.

T.H.C. 2/11

2 v p. file 16-34 (36, 37) it has been held by the Law Secretary that there can be no second 'final declaration under Sec 4 A regn., and that if the mistake already made is such that the land declared for acquisition is really different from the one really wanted to be acquired, there has to be a note of withdrawal and fresh proceedings taken to acquire the land required

21 p.

2035

2035

General and Revenue Secretariat | 2nd File No 40 of 1934 | [App F. III—

Serial No

In the present case the land required is the same as declared previously viz S. no. 383 But now there is an alteration in the extent of the land to be acquired and the boundaries thereof The Land Section has opined in i/p file 40-34 referred to above that in the case of alteration of boundaries, there is no need to publish fresh declaration statement the dep. can be informed accordingly & appd sub proceedings with them may be

mine

10/12 10/12

What about S no 384 ? Should there be no withdrawal in the case of this S no ? Please comment

1/34

The first part of the legal opinion given in V C file 40-34 shows that if the alteration of boundaries is such that the land required declared for acquisition is really different from the one notified is really wanted a notification of withdrawal & fresh declaration are necessary The Tyfinr Amedars report of 8-7-34 shows that the Land to be acquired is the same as that declared already (though slightly more in extent) but that the whole of is within S no 383 & no portion is within S no 384 as already declared Such being so fresh declaration in respect of S 383 is not

NOTE—Contn Sheet

WD 01955—GPB—22,500 12-6 31

Revenue Land Acquisition Tehsil Ambala

2C 35 ex 1

2nd File No. 40 of 1934

General and Revenue Secretariat

Interfere necessary - the slight increase in the area to be acquired does not matter - as the award will mention the exact extent A suitable draft regd to the Dy Com - to direct notification withdrawing from the acquisition S no 38/1 maybe passed

17/12

Draft note, alongwith memo to be sent for appl

19/12 19/12

Dy Secy
Through Addl Secy
Law Secretary

20/12

3501 of 34
P

I agree

20/12 20/12

21/12

3642
21/12

Returned 21/12

22 DEC
GENL &c

To the enquiry Ex 4546 dt 3-1-35

Notifn. the withdrawal from the acqn of Lower mkt of S. no 40/1 4548 dt 3-1-35 memo only to be. Tender

B
18/1

Appendix F G—1]

SUBJECT

Re

Section mel

File No W-34

Serial No 26

Diary No of letter replied to

No. L 4596

General and Revenue Secretariat

( )

the *193*

Date of issue 3/1

Signed by Mr A.V. Ross.

L

To Under Sec 48 (1) Govt Land Acqn Act, 1894, as amended from time to time, Govt are pleased to withdraw from the acquisition 104-5 qr yds of land and bldgs no 384 Triplicane notified in Govt note no L 1928/mel-38-33-1 dt 4-9-33, as required for widening the approach road to Water Supply and Power House at Triplicane.

By order

Asst Secy to Govt

To the Compiler, reply for publication in part III-3 Govt reply.

P T O

List of enclosures

Copied by

Examined by

Copy of the DC, Tumkur

with reference to his letter no A 2. E. 92/34 dt
2-11-34 As regards S. no 383, it is
observed that there can be no second final
declaration under the Land Acquisition Act
mistake in the declaration made is such that
the land declared for acquisition is different from the one
~~which~~ really wanted to be acquired, there has to be a notice of
withdrawal and fresh acquisition proceedings taken
the typist's mistake report dt 8-7-34 shows that the
land to be acquired is the same as the one declared
already (though slightly more in extent), and that
the whole matter is within S no 383 Fresh declaration
in respect of this S no is not therefore necessary
The award may state the correct area, boundaries and
other particulars of the land

The records are returned for further necessary
action in the light of the above

By order
Illegible
Illegible
Illegible